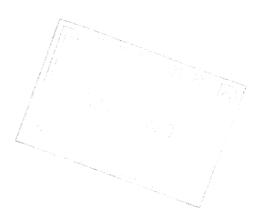
Adult Use Permit Application

Secrets Adult Boutique

525 Contra Costa Blvd. Pleasant Hill, CA. 94523



November 26, 2003

TABLE OF CONTENTS

- 1 APPLICATION FORM
- FEE (Copy of Check)
- 3 LOCATION MAP (Vicinity Map)
- 4 LEGAL INDENTIFICATION
- 5 REPORT DETAILING ADULT PERMIT REVOCATION AND SEX OR SEX-RELATED OFFENSES OF APPLICANT OR ANY INDIVIDUALS LISTED PURSUANT TO THE LEGAL IDENTIFICATION
- 6 WRITTEN STATEMENT
- 7 ADULT USE DEVELOPMENT PERMIT ANALYSIS
- 8 NOTIFICATION REQUIREMENTS CERTIFICATION (Stricken Per City Administrator)
- 9 PARTICIPANT DISCLOSURE FORM
- 10 MAILING LABELS AND ADDRESSES
- 11 SITE PHOTOGRAPHS
- 12 SITE PLANS
- 13 BUILDING ELEVATIONS
- 14 LANDSCAPE PLAN
- 15 FLOOR PLAN
- 16 SIGN SUBMITTAL
- 17 RENDERED SITE DEVELOPMENT PLAN
- 18 TRANSPARENCY
- 19 REDUCTION
- 20 SECURITY PLAN
- 21 STATEMENT OF COMPLIANCE WITH DIVISION 35-20 (Adult Uses)
- 22 ENVIRONMENTAL INFORMATION FORM

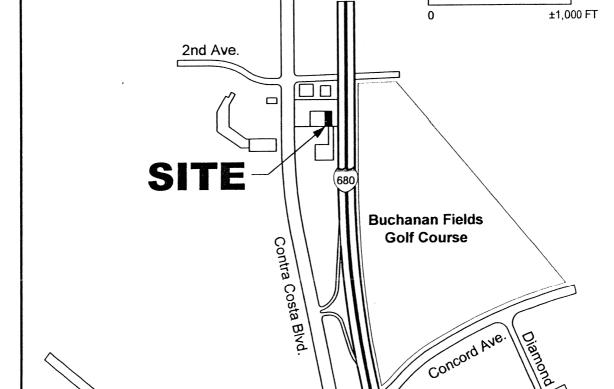


APPLICATION FOR DEVELOPMENT REVIEW

CITY OF PLEASANT HILL

100 Gregory Lane Pleasant Hill, CA 94523 Phone (925) 671-5209 Fax (925) 682-9327

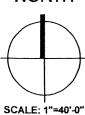
I.	CHECK TYPE OF PERMIT(S) REQ	UESTED	
	☐ General Plan Amendment	□ Rezoning	☐ Zoning Permit
	XX Use Permit	☐ Minor Use Permit	☐ Temporary Use Permit
	☐ Variance	☐ Minor Variance	☐ Home Occupation
	☐ Secondary Unit	☐ Development Plan	□ Sign
,	☐ Architectural Review	☐ Tree Removal	☐ Other
-			
II.	GENERAL DATA		
	A. Address of Property	525 CONTRA COSTA BLVD.	, PLEASANT HILL, CA 94523
	B. Assessor's Parcel Number(s)	125-250-004	
	C. Zoning	COMMERCIAL RETAIL BUSI	NESS
	D. Existing Use	COMMERCIAL RETAIL BUSI	NESS
	E. Description of Project or Request		L USE
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III.	AUTHORIZATION		COMMUNITY OF MILLS HIGH DEPT.
		l/or as applicant, represent to have for	ull legal capacity to, and hereby do authorize
			the property owner, attached is separate
			bound by the conditions of approval of this he appeal period. I further certify that the
	information and exhibits submitted are true		ne appear period. I further certify that the
	// (
	A. Property Owner		415.410-57
	Name	Phone _	415-418-5200
	Address 1945 cann	Fax_	
	SF. CA 90	Fluid Email	
	Signature David Stur	Date_	11/21/03
	B. Applicant other than Property Ow		,
	Name	Phone _	
	Address		
	Signature		
	<u>o</u>	C. G. Will	
	• •		
	Address		
		Email_	
	Signature	Date _	
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VICINITY MAP

PROJECT NORTH



LEGAL IDENTIFICATION

The applicant, Shizue Enterprises, Inc. dba Secrets Adult Boutique is a California Corporation in good standing, located at:

Shizue Enterprises, Inc. dba Secrets Adult Boutique 1945 Carroll Avenue San Francisco, CA 94124 (415) 468-5600

Date of Incorporation: 2/21/1985

Status: Active

Legal names and date of birth and all aliases used by officers, directors, and principal stockholders:

Name	DOB	Aliases	Title
Harlan Shapers	1/31/52	NONE	President/Director
Thelma Imperio	6/15/47	NONE	Secretary/Director/Treasurer
David A. Sturman	05/22/52	NONE	Stockholder

Name and address of the registered officers for service of process:

Harlan Shapers 1945 Carroll Avenue San Francisco, CA 94124

California Business Portal

Searchery of State Kewin Shelley

DISCLAIMER: The information displayed here is current as of NOV 14, 2003 and is updated weekly. It is not a complete or certified record of the Corporation.

Corporation				
SHIZUE ENTERPRISES, INC.				
Number: C1331973	Date Filed: 2/21/1985	Status: active		
Jurisdiction: California				
	Mailing Address			
1945 CARROLL AVE.				
SAN FRANCISCO, CA 94124				
A	gent for Service of Process			
HARLAN SHAPERS				
1945 CARROLL AVE.				
SAN FRANCISCO, CA 94124				

For information about certification of corporate records or for additional corporate information, please refer to Corporate Records. If you are unable to locate a corporate record, you may submit a request to this office for a more extensive search. Fees and instructions for requesting this search are included on the Corporate Records Order Form.

Blank fields indicate the information is not contained in the computer file.

If the status of the corporation is "Surrender", the agent for service of process is automatically revoked. Please refer to California Corporations Code Section 2114 for information relating to service upon corporations that have surrendered.

REPORT DETAILING ADULT PERMIT REVOCATION AND SEX OR SEX-RELATED OFFENSES OF APPLICANT OR ANY INDIVIDUALS LISTED PURSUANT TO THE LEGAL IDENTIFICATION

- 1. Preceding the date of application, the applicant or any individuals listed pursuant to the **Legal Identification** have not had an Adult Business revoked.
- 2. Preceding the date of application, the applicant <u>has not</u> been a partner in a partnership or an officer, director or principal stockholder of a corporation whose permit for an Adult Business has been revoked.
- 3. Preceding the date of application, the officers or general partners of the corporation <u>have not</u> been found guilty or pleaded *nolo contendere* within the last four (4) years of a misdemeanor or a felony classified by the State of California as a sex or sex-related offense.

WRITTEN STATEMENT

REASON FOR APPLICATION

Shizue Enterprises, Incorporated dba Secrets Adult Boutique seeks to obtain an Adult Use Permit for the address:

525 Contra Costa Blvd. Pleasant Hill, CA 94523

BUSINESS DESCRIPTION

This proposed project would be a Commercial Retail Business operating with a conditional adult use permit. The retail business will be named Secrets Adult Boutique and will sell Adult DVD, Video, Novelties and Magazines. Secrets Adult Boutique will not engage in live adult entertainment. The project is a 3,061 square foot space situated at 525 Contra Costa Blvd, Pleasant Hill, California.

SITE DESCRIPTION

The proposed project is part of a larger project that was undertaken by the new building owner. The original single tenant building sat vacant for some years in disrepair until it was purchased in September 2003. The original building was formerly known as **The Bedroom**, which sold mattresses, beds and associated items. After the building was purchased it was completely renovated and divided into two retail spaces. The renovation consisted of a complete exterior makeover with new landscaping and parking lot. The original building was a blight in the neighborhood. The remodel was intended to invigorate this part of Pleasant Hill.

BUSINESSES CREATED

It is the new owner's desire to attract a national retail business as an anchor tenant to the larger space of the newly renovated building. The other tenant is the proposed Retail Adult Use now referred to as **Secrets Adult Boutique**. Both spaces have been rented in accordance with the owner's desire. The national tenant will begin its tenant improvements and will open in early 2004. **Secrets Adult Boutique** will begin its tenant improvements and anticipates opening for business early in 2004, subject to the issuance of the Adult Use Permit.

CORPORATE DESCRIPTION

Secrets Adult Boutique is one store in a corporation known as Shizue Enterprises, Incorporated, which operates other adult businesses throughout California. Shizue Enterprises, Incorporated is a member of a larger family of companies headquartered in San Francisco that sell both wholesale and retail adult products.

COMPLIANCE WITH THE LAW

Secrets Adult Boutique makes application for the adult use permit so that it may operate in accordance with the law as detailed by Division 35-20 (Adult Uses) of the Pleasant Hill Municipal Code. Secrets Adult Boutique intends to operate in strict compliance with Division 35-20 of the Pleasant Hill Municipal Code, as well as in strict compliance

with all other local, state and federal laws. **Secrets Adult Boutique** will comply with all sections of the Division 35-20, but reviewing compliance with a few key sections of the Division should be included in this statement, and are as follows, but not limited to:

- 1. Regarding Division section 35-20.4 (Locational Limitations) Secrets Adult Boutique will be situated greater than 500 feet away from all Residential Land Use Designations. Further, Secrets Adult Boutique will be situated greater than 800 feet away from all schools or Park Land Use Designations. Further, Secrets Adult Boutique will be situated greater than 800 feet away from all religious institutions. Further, Secrets Adult Boutique will be situated greater than 1000 feet away from any other adult use. In fact, in most of these instances Secrets Adult Boutique will be located much farther away from these uses than is required by the Division.
- 2. Regarding Division 35-20.6 (Development and Operating Standards) Secrets Adult Boutique will only operate from 10:00 am to 10:00 pm, daily. Further, all exterior areas of the adult business will be illuminated at greater than 1.25 foot-candle, minimally maintained and evenly distributed at ground level. In fact the illumination will be greater than 5 foot-candle. Further, Secrets Adult Boutique will operate in strict compliance with California Penal Code section 314 and not tolerate lewd acts in public. Secrets Adult Boutique will post signs of California Penal Code 314 and enforce the penal code to the fullest. Further, Secrets Adult Boutique will operate giving access to only those persons who are over 18 years of age. Secrets Adult Boutique will post exterior door signage restricting access to persons who are over 18 years of age. Further, Secrets Adult Boutique will have a responsible person to act as manager at all times during which the business is open. The manager will receive all complaints and be responsible for any violations that may take place on the premises. Further, the interior and exterior areas of Secrets Adult Boutique will be under 24-hour surveillance by state of the art digital cameras and recording systems that can be viewed by all employees on the site and by any authorized persons offsite who have connection to the Internet. Further, Secrets Adult Boutique will not operate nude entertainment. Further, Secrets Adult Boutique will discard all adult oriented merchandise into garbage dumpsters inside locked trash enclosures.
- 3. Regarding Division 35-20.22 Secrets Adult Boutique will comply with the development and design requirements of the underlying zoning district in which it is located and with the applicable standards of this Division. Further, Secrets Adult Boutique, in its traffic generation will be of minimal impact and will be consistent with achieving or maintaining the established level of service set forth in the City's Circulation and Growth Management Elements. Further, Secrets Adult Boutique will be adequately served by other public and private service facilities consistent with the City's established level of services as set forth in the City's Growth Management Element for the requested use. Further, no officers of the corporation, Shizue Enterprises, Incorporated dba Secrets Adult Boutique, have been found guilty or pleaded nolo contendere within the last four (4) years of a misdemeanor or a felony classified by the State of California as a sex or sex-related offense.

IMPACT OF THE CONDITIONAL USE ON THE COMMUNITY

It is the will of the owner of the property and the officers and management of Secrets Adult Boutique that Secrets Adult Boutique be a valuable part of the community. This project has brought renovation and invigoration to Pleasant Hill. With strict compliance to all laws this project will allow the adult consumer to shop in comfort and safety for adult goods while maintaining and upholding the desired planning of the City of Pleasant Hill.

STATEMENT OF ACCURACY

The application for the Adult Use Permit was compiled accurately and truthfully. All statements are accurate and truthful and represent the intent of the applicant, **Secrets Adult Boutique** and its officers, directors, principal stockholders and management.

(925) 671-5209 FAX (925) 676-1125 100 Gregory Lane Pleasant Hill, CA 94523

ADULT USE DEVELOPMENT PERMIT ANALYSIS

Application Submittal

The following is an analysis of the required findings which must be made in order to ensure that your application is complete and can be reviewed in a timely manner. Please respond as fully as possible. If you need additional space to respond, please feel free to attach supplemental information.

	the proposed use complies with the development and design standards of the underlying district in which it is ocated.
Anal	ysis: PLEASE SEE ATTACHED SHEETS
- Aprilia de Servição de Servi	
-	
1 I	he proposed use and its projected traffic generation is consistent with achieving or maintaining the establishe evel of service set forth in the City's Circulation and Growth Management Elements. If the City's establishe evel of Service is already exceeded, than the proposed use and its projected traffic generation will not result in net increase in the Level of Service.
Anal	
	PLEASE SEE ATTACHED SHEETS

	The esta	proposed site is adequately served by other public and private service facilities consistent with the City's abblished level of services as set forth in the City's Growth Management Element for the requested use.
		PLEASE SEE ATTACHED SHEETS
4.	The	proposed use will not be: PLEASE SEE ATTACHED SHEETS
	A.	Within a five hundred (500) foot radius of a Residential Land Use Designation (including a PUD which includes residential development). The distance between a proposed use and a Residential Land Use Designation shall be measured from the nearest exterior wall of the facility housing the adult use or proposed adult use to the nearest property line included within the Residential Land Use Designation, along a straight line extended between two points.
	В.	Within an eight hundred (800) foot radius of a school or Park Land Use Designation. The distance between the proposed use and a school or Park Land Use Designation shall be measured from the nearest exterior wall of the facility housing the adult use or proposed adult use to the property line of the school site or Park Land Use Designation, along a straight line extended between the two points.

C. Within an eight hundred (800) foot radius of a religious institution. The distance between the adult use or proposed adult use and a religious institution shall be measured from the nearest exterior wall housing the adult use or proposed adult use along a straight line extended to the nearest exterior wall of the facility

D. Within a thousand (1000) feet of any other adult use as defined in the Zoning Ordinance, whether it is inside or outside the jurisdiction of the City. The distance between two adult uses shall be measured between the

NOTE: The above distance limitations shall also apply to residential districts, parks and schools as designated on the General Plan Land Use Element of adjacent jurisdictions or to religious institutions which are located in adjacent jurisdictions and are the subject of a validly approved land use entitlement.

nearest exterior walls housing the adult uses along a straight line extended between the two uses.

housing the religious institution.

(Provide maps confirming the distance)

Analysis: PLEASE SEE	ATTACHED SHEETS
THEADE SEE	ATTACHED DILLETO
5. Neither the applicant, if an have been found guilty or ple classified by the State as a sex	individual, nor any of the officers or general partners, if a corporation or partnership, aded <i>nolo contendere</i> within the past four (4) years of a misdemeanor or a felony or sex-related offense.
classified by the State as a sex	of sex-related offense.
Analysis: PLEASE SEE	ATTACHED SHEETS
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Summary: PLEASE SEE	ATTACHED SHEETS

Analysis	s completed by:	JIM LUKES	
Date:	11/26/03		

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ADULT USE DEVELOPMENT PERMIT ANALYSIS

1. The proposed use complies with the development and design standards of the underlying district in which it is located.

Analysis: The underlying district is designated as Commercial Retail Business. The proposed use is a retail business that serves the city and the region as a whole by selling specialty items. The proposed use will strengthen the city's economic base and provide employment opportunities. Accordingly, the proposed use complies with the development and design standards of the underlying district in which it is located.

2. The proposed use and its projected traffic generation is consistent with achieving or maintaining the established level of service set forth in the City's Circulation and Growth Management Elements. If the City's established Level of Service is already exceeded, then the proposed use and its projected traffic generation will not result in a net increase in the Level of Service.

Analysis: The proposed use and its projected traffic generation will be minimal. A field study was conducted at one of our largest stores. Using this well established business as a basis and adjusting down for the start-up nature of a new business, It was determined that Secrets Adult Boutique will generate approximately 75 to 100 transactions per day or 6.25 to 8.33 transactions per hour (based on a 12 hour operating day) which is minimal. The proposed 3,061 square foot Commercial Retail Business will generate minimal traffic and therefore maintains the established level of service set forth in the City's Circulation and Growth Management Elements.

3. The proposed site is adequately served by other public and private service facilities consistent with the City's established level of services as set forth in the City's Growth Management Element for the requested use.

Analysis: The proposed site (Commercial Retail Business) was previously served with no additional burden on other public and private services, such as water supply, sewage disposal, schools, parks and open space, fire protection, police, and storm drainage. The proposed site is again the same designation of Commercial Retail Business and will continue to be served with no additional burden on other public and private services, such as water supply, sewage disposal, schools, parks and open space, fire protection, police, and storm drainage which is consistent with the City's established level of service as set forth in the City's Growth Management Element for the requested use.

- 4. The proposed use will not be:
 - A. Within a five hundred (500) foot radius of a Residential Land Use Designation. The distance between a proposed use and a Residential Land Use Designation shall be measured from the nearest exterior wall of the facility housing the adult use or proposed adult use to the nearest property

- line included within the Residential Land Use Designation, along a straight line extended between the two points. (SEE ATTACHED MAP)
- B. Within an eight hundred (800) foot radius of a school or Park Land Use Designation. The distance between the proposed use and a school or Park Land Use Designation shall be measured from the nearest exterior wall of the facility housing the adult use or proposed adult use to the property line of the school site or to the nearest property line included within a Park Land Use Designation, along a straight line extended between the two points. (SEE ATTACHED MAP)
- C. Within an eight hundred (800) foot radius of a religious institution. The distance between the adult use or proposed adult use and a religious institution shall be measured from the nearest exterior wall housing the adult use or proposed adult use along a straight line extended to the nearest exterior wall of the facility housing the religious institution. (SEE ATTACHED MAP)
- D. Within a thousand (1000) feet of any other adult use defined by this division located either inside or outside the jurisdiction of the City. The distance between two adult uses shall be measured between the nearest exterior walls housing the adult use along a straight line extended between the two uses. (SEE ATTACHED MAP)

Analysis: Secrets Adult Boutique will comply with the locational limitations, as stated above. City zoning maps were reproduced and radiuses were drawn to verify that the locational limitations would be met. Those maps with radiuses drawn are attached here for review. When any questions arose about distance limitations, McGill Martin Self, Inc., a community planning and surveying company did Global GPS surveying to verify distances.

Special note: The only locational limitation above that presented a problem was the eight hundred (800) foot radius to a Park Land Use Designation. Prior to the remodel of the site, the building was closer than eight hundred (800) feet to a Park Land Use Designation. Consequently, during the remodel the building was set back and now complies with the aforementioned locational limit. A copy of a letter dated November 25, 2003 from McGill Martin Self Inc. confirms that the building, as remodeled, complies with the locational limitation. A copy of the letter is attached herewith.

5. Neither the applicant, if an individual, no any of the officers or general partners, if a corporation or partnership, have been found guilty or pleaded *nolo contendere* within the past four (4) years of a misdemeanor or a felony classified by the State as a sex or sex-related offense.

Analysis: Preceding the date of application, the officers or general partners of the corporation <u>have not</u> been found guilty or pleaded *nolo contendere* within the last four (4) years of a misdemeanor or a felony classified by the State of California as a sex or sexrelated offense.

Summary: Secrets Adult Boutique has made strong efforts to ensure that it complies with all aspects of local, state and federal law. In addition Secrets Adult Boutique will be a fine addition to the Commercial Retail Businesses in the district in which it is located by offering unique products to consumers in a well-maintained and regulated shopping environment. In addition, Secrets Adult Boutique will provide employment opportunities close to home for residents of Pleasant Hill. Secrets Adult Boutique will strengthen the city's economic base. Secrets Adult Boutique will generate minimal traffic which is consistent with the City's established level of service as set forth in the City's Growth Management Element for the requested use. Secrets Adult Boutique will not be a burden on the City and its public and private services. Accordingly, Secrets Adult Boutique should be granted an Adult Use Permit.



McGILL MARTIN SELF, INC.

Community Planning Design Entitlements Infrastructure Finance Surveying

1600 South Main Street Suite 332 Walnut Creek, CA 94596 Tel: 925.988.9188 Fax: 925.988.0170 www.mms-inc.net

November 25, 2003

Via Facsimile: (415) 567-9421

Transmitting one page

Sturman Properties 1945 Carroll Avenue San Francisco, CA 94124

Re:

Retail Remodel for the Bedroom Store, 525 Contra Costa Blvd., Pleasant Hill, CA

(MMS Job No. 2246)

To Whom It May Concern:

At your request, we have reviewed the site plan, Sheet A-1, prepared by David Babcock & Associates dated May 9, 2003, for the above described project. In particular, the proposed modifications to the southwest corner of the building were examined.

Based on a field survey performed by McGill Martin Self, Inc., on May 22, 2002, it was determined that the southwest corner of the building was less than 800 feet to the nearest property line of Shadowood Park. Shadowood Park is located in Parcel "D" of Shadowood Subdivision as filed in Book 202 of Maps at Page 1, Contra Costa County Records, and lies between Spar Court and the Grayson Creek Channel.

As shown on the site plan, the modification of the southwest corner of the building would increase the distance to the nearest point on the Shadowood Park property line to over 805 feet. The southwest corner of the proposed building is understood to be the outside face of foundation as delineated on the site plan.

The other building corners of the Bedroom Store are over 800 feet from the closest property line of Shadowood Park as determined by the May 2002 field survey and appear to have not been modified by the site plan. Please feel free to call me should you have any questions, or need additional information.

Sincerely,

McGILL MARTIN SELF, Inc.

Michael R. McGill, P.E.

President

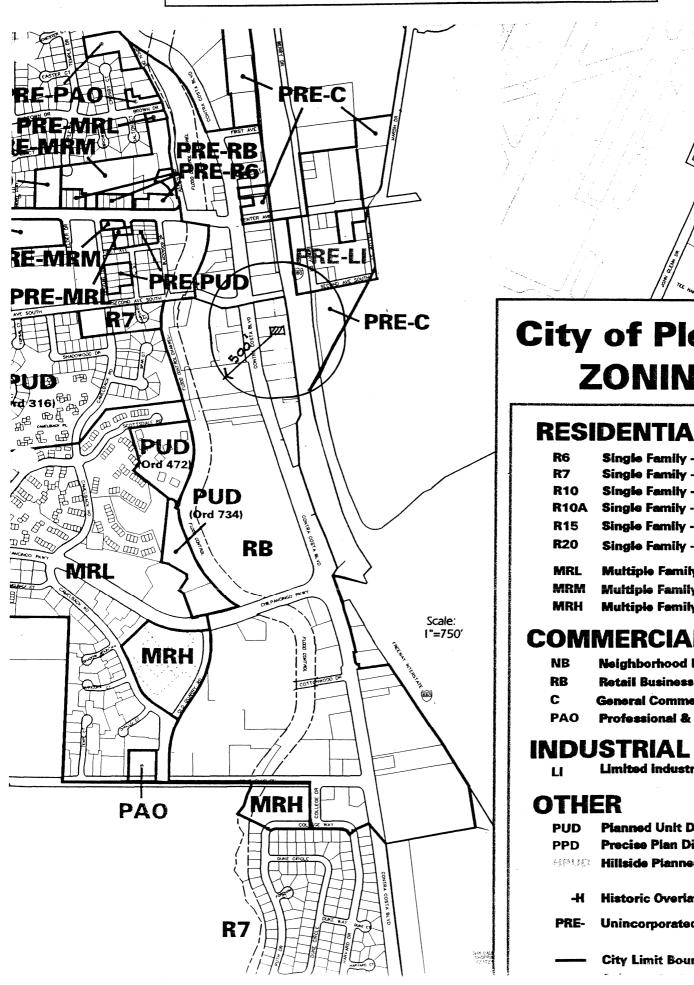
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500' RADIUS TO RESIDENTIAL LAND USE

1 // I



City of Pleasant **ZONING MA**

RESIDENTIAL

Single Family - 6,000 sq ft Lots Single Family - 7,000 eq ft Lots Single Family - 10,000 sq ft Lot

Single Family - Avg 10,000 sq fi

Single Family - 15,000 eq ft Lot

Single Family - 20,000 sq ft Lot

Multiple Family - Low Density

Multiple Family - Medium Densi

Multiple Family - High Density

COMMERCIAL

Neighborhood Business

General Commercial

Professional & Administrative 0

INDUSTRIAL

Limited industrial

Pianned Unit District

Precise Plan District

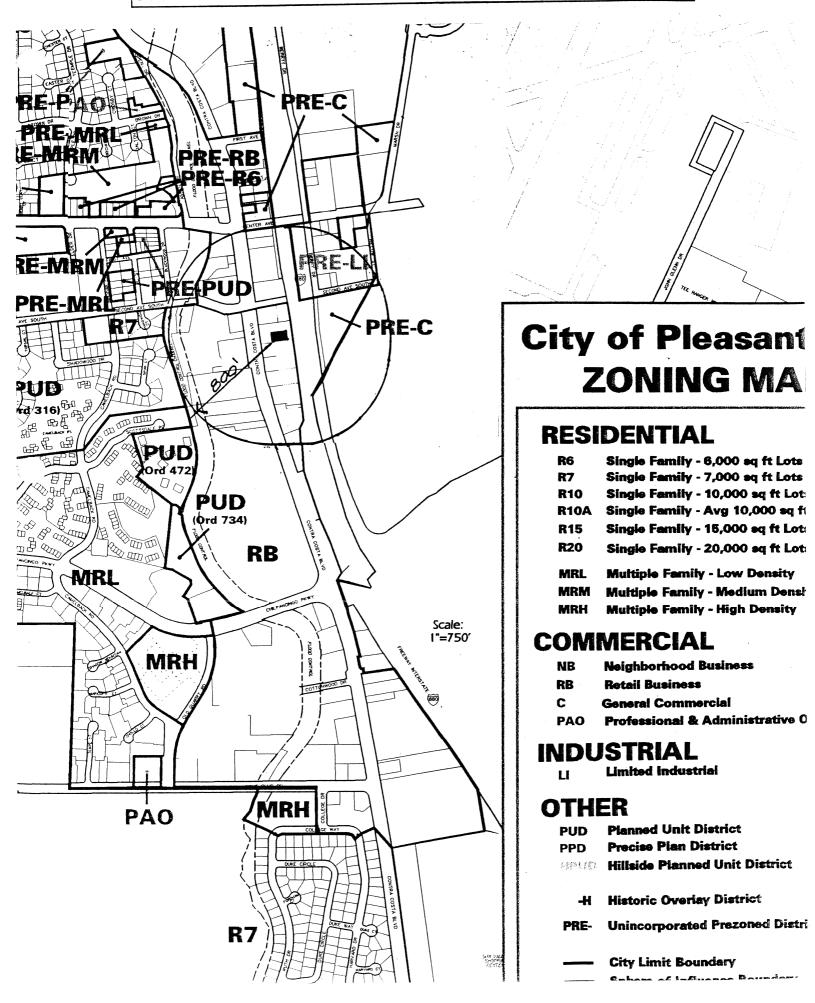
Hillside Planned Unit District

Historic Overlay District

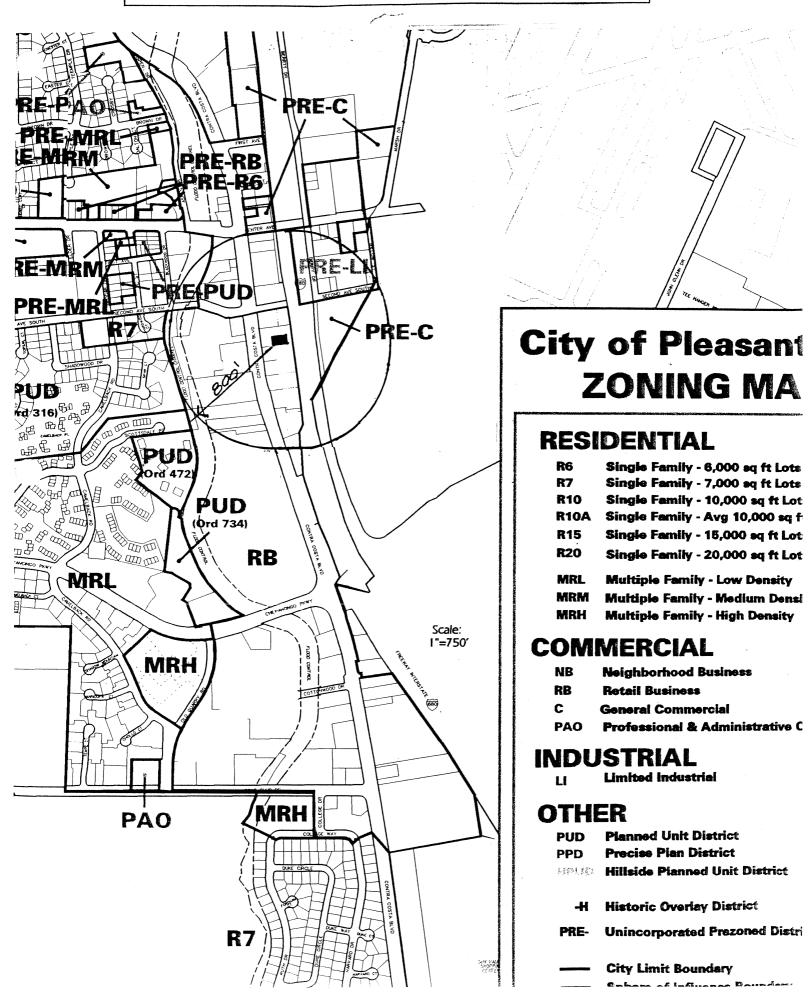
Unincorporated Prezoned Distri

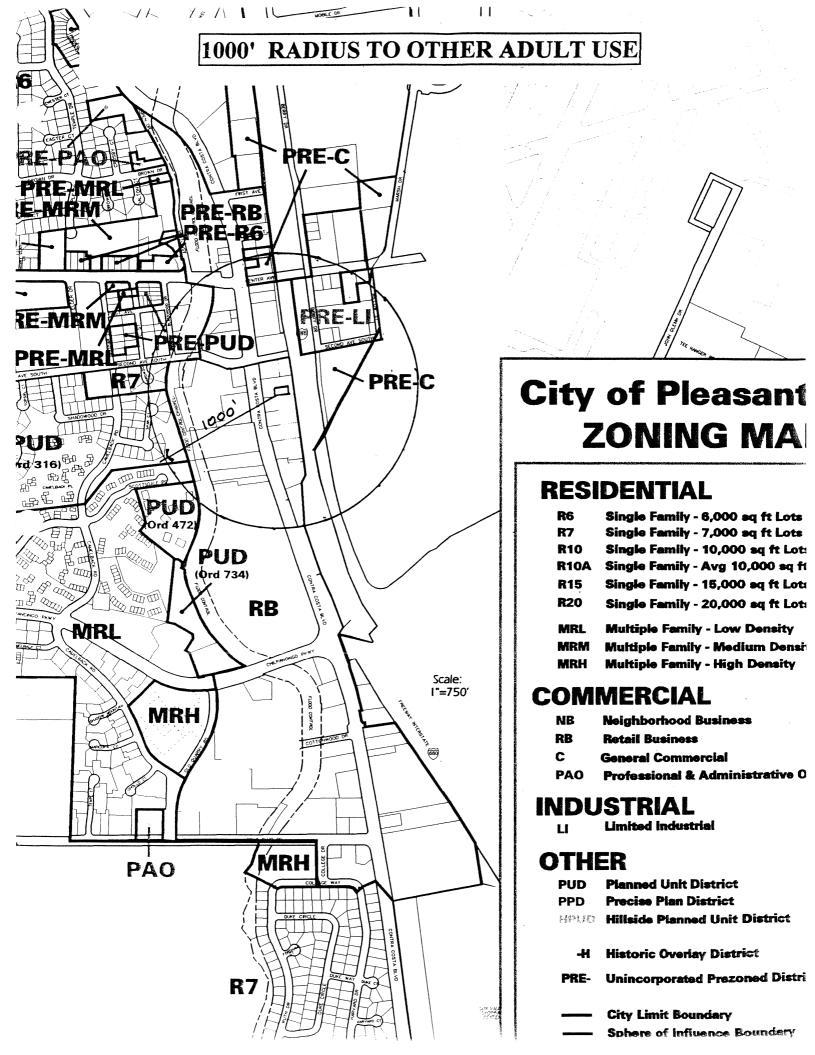
City Limit Boundary

800' RADIUS TO SCHOOLS OR PARK LAND USE



800' RADIUS TO RELIGIOUS INSTITUTION





CITY OF PLEASANT HILL

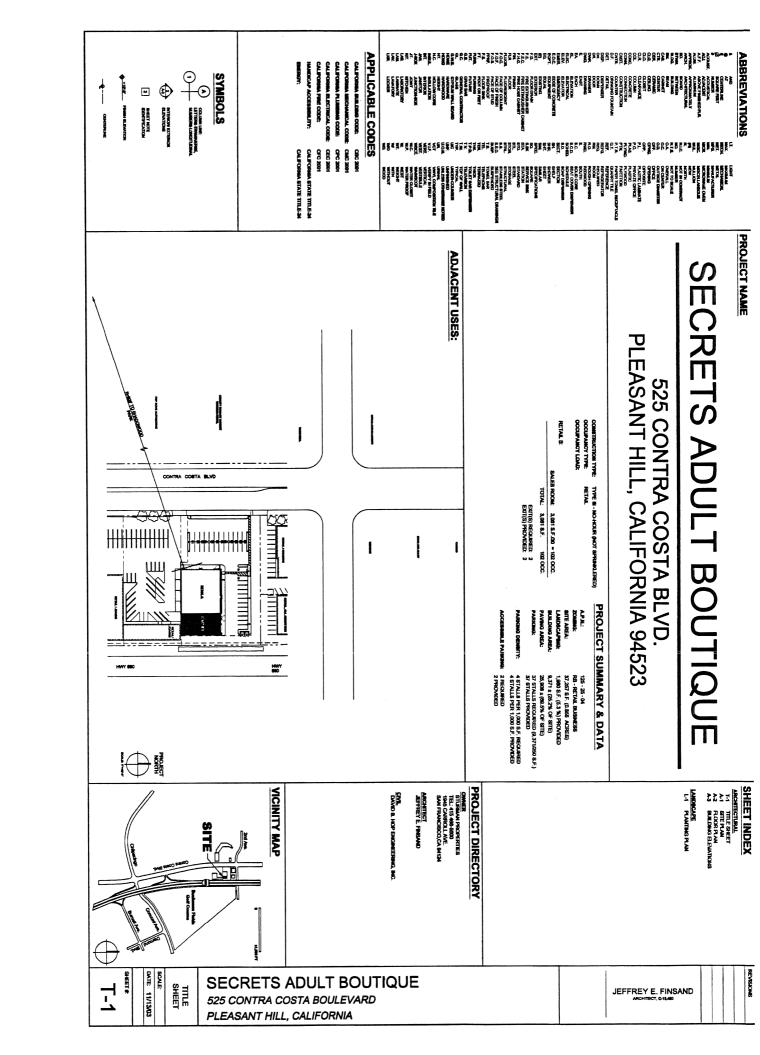
(510) 671-5209 FAX (510) 256-8109 100 Gregory Lane Pleasant Hill, CA 94523

PARTICIPANT DISCLOSURE FORM

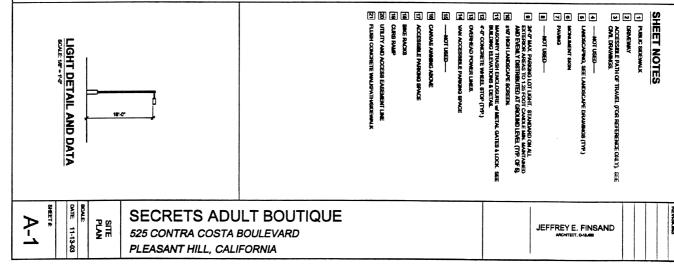
To be completed only if contributions totalling \$250 or more have been made.	
Participant's Name: NOT APPLICABLE - SEE ATTACHED SHEETS	
Participant's Address:	
•	
Application	
Title and Number:	
Council or commission member(s) to whom you and/or your agent made of	ampaign contributions totalling \$250 or
more and dates of contribution(s):	
Name of Member:	
Name of Contributor (if other than Participant):	•
Date(s):	
Amount(s):	
026 1	
Name of Member:	
Name of Contributor (if other than Participant):	
Date(s):	
Amount(s):	
Name of Member:	
Name of Contributor (if other than Participant):	
Date(s):	
Amount(s):	
, 11	. / . /
Signature of Participant	11/26/03
and/or Agent:	Rev/10-90
PHCDD:107	NGV/10-30

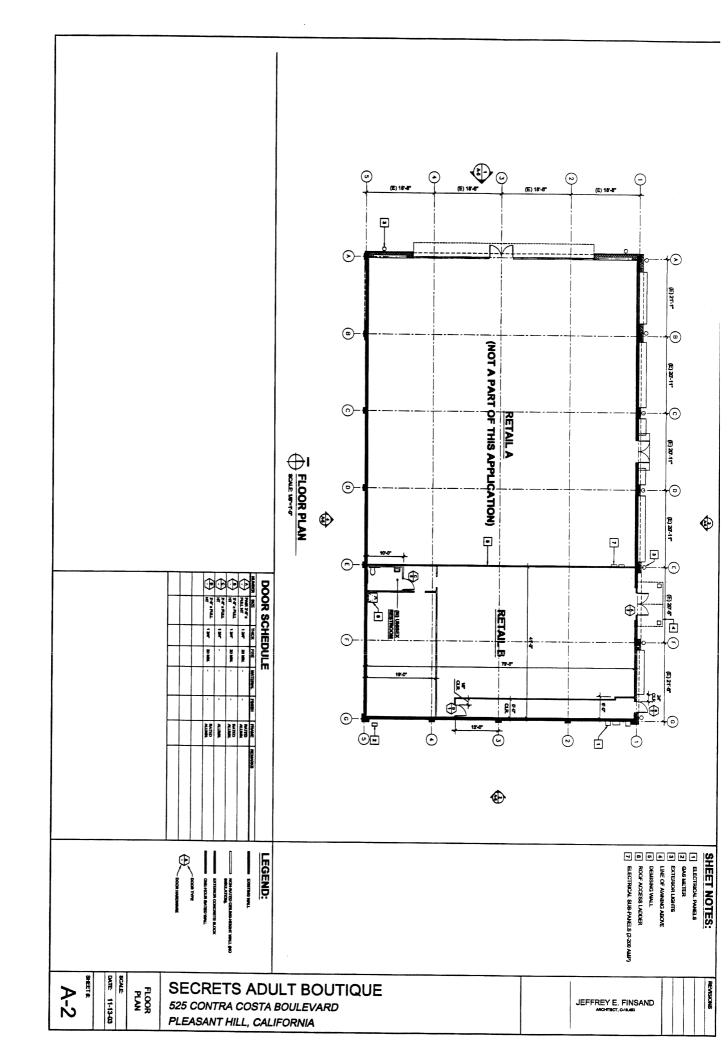
PARTICIPANT DISCLOSURE FORM

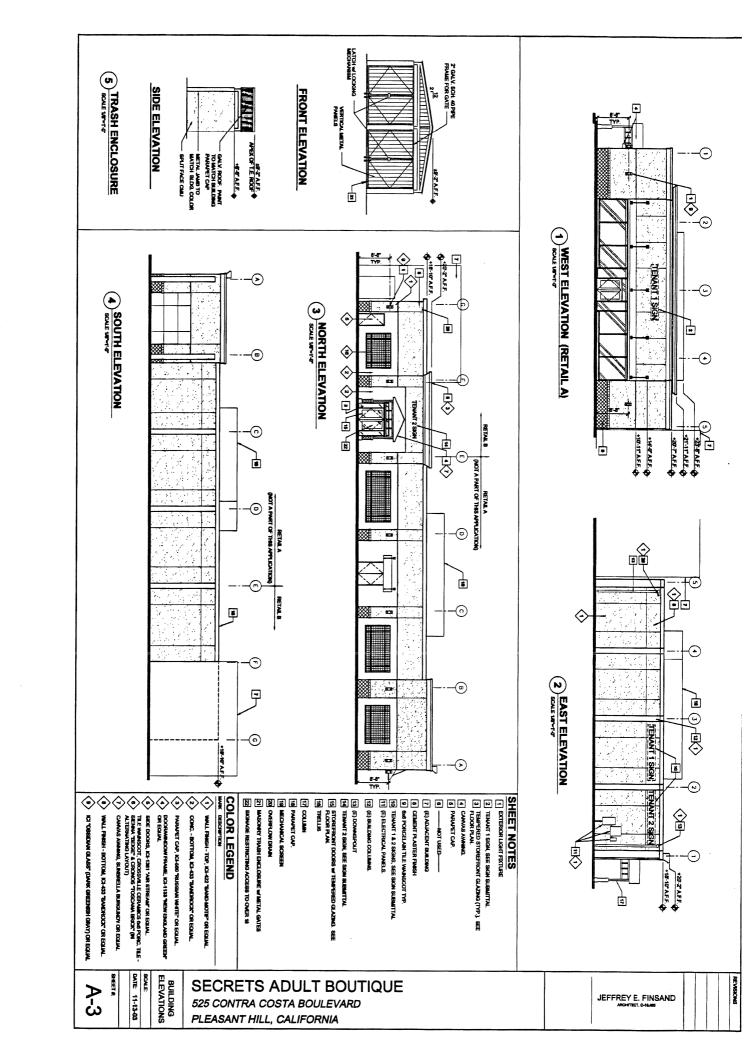
No officers, general partners, members of management, agents or participants of Shizue Corporation dba **Secrets Adult Boutique** have made any campaign contributions in any amounts to any Council or Commission members.

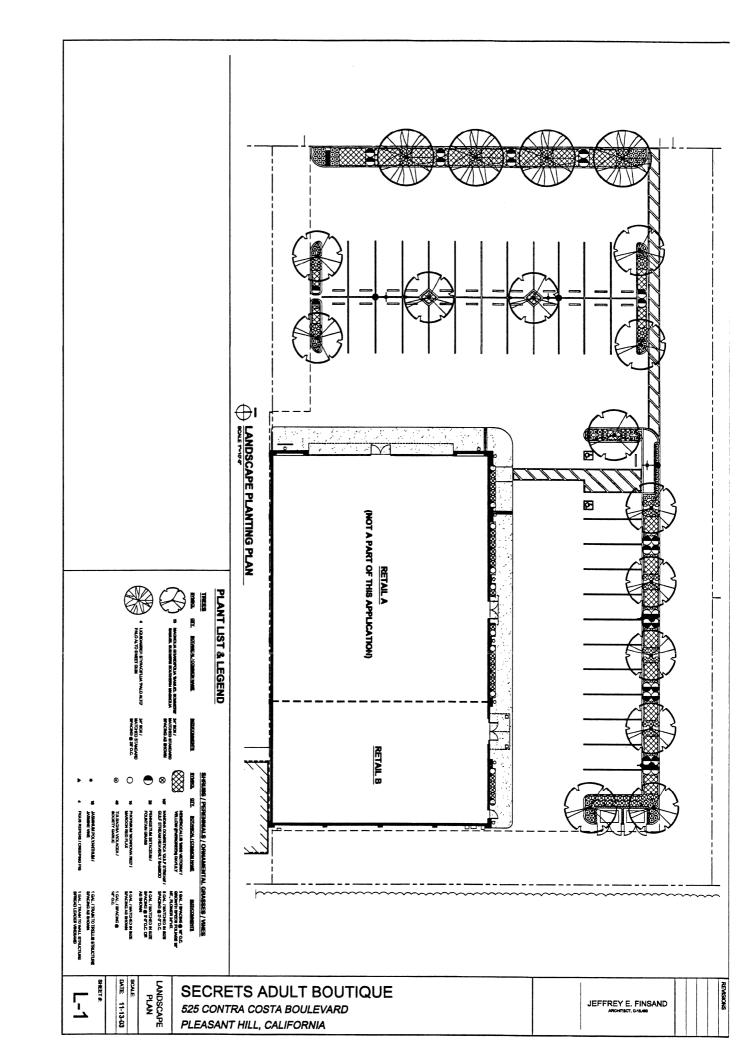


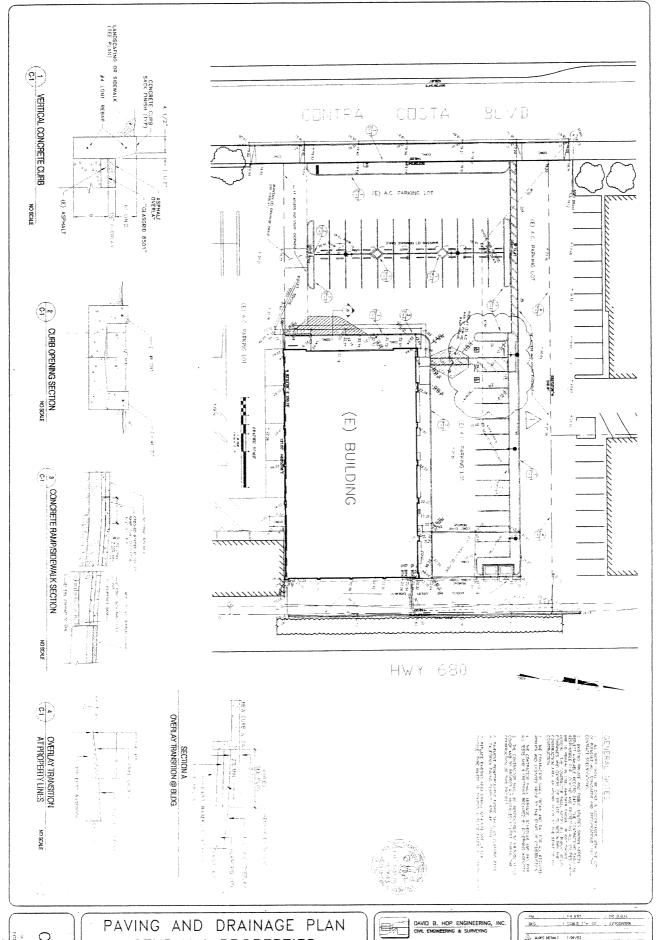
CONTRA COSTA BOULEVARD 甲甲 P 曱 6 (8-0" X 19-0") 8 • (E)±103'-3" SITE PLAN • 3 -6 . (E) ±74'-6 **HIGHWAY 680** 5











04.1 SHEEL C-1

STURMAN PROPERTIES PLEASANT HILL CALIFORNIA





SECURITY PLAN

Secrets Adult Boutique will provide a security system that visually records and monitors the exterior and interior premises of the property including all parking lot areas. A sign indicating compliance with this provision will be posted on the premises. The sign will not exceed two (2) by three (3) feet and will at a minimum be one (1) foot by one and a half feet.

Secrets Adult Boutique exterior and interior will be under 24-hour surveillance by state of the art digital cameras and recording systems that can be viewed by all employees on the site and by any authorized persons offsite who have connection to the Internet. A sign indicating this will be posted. Any previous days footage can be recalled instantly by our personnel both onsite and offsite. These high-resolution images can be given to the local authorities should they require them.

Secrets Adult Boutique will use 12 digital cameras mounted in all public areas both inside and out the building. These areas include parking lot, rear of the building, general sales areas, manager's offices and emergency exits. One special rotatable and zoomable camera will be placed in the center of the general sales floor and can be controlled by our front counter personnel, manager's office personnel and authorized offsite personnel who have connection to the Internet. All cameras will be displayed on a flat panel monitor at our front counter and in our manager's office. All cameras can also be seen by authorized offsite personnel who have connection to the Internet. Two sets of 4 televisions will be installed inside the general sales area. One television near the front door will be dedicated to displaying to the public that the public is under surveillance when in the parking lot and when entering the store.

Every aspect of the day-to-day business will be visually recorded at **Secrets Adult Boutique**. Our staff of trained sales associates and on-duty manager will patrol all areas of the premises during all business hours.

The attached sheet, entitled Security Plan sheet S-1, will show exact locations of equipment to be used.

STATEMENT OF COMPLIANCE WITH DIVISION 35-20 (Adult Uses)

Section 35-20.1 <u>Compliant with Section of Division</u>

Section 35-20.2 Compliant with Section of Division

Section 35-20.4 Compliant with Section of Division

Secrets Adult Boutique will be located in a Commercial Land Use Designation. Further, the location of Secrets Adult Boutique will not be within a five hundred (500) foot radius of a Residential Land Use Designation. Further, the location of Secrets Adult Boutique will not be within an eight hundred (800) foot radius of a school or Park Land Use Designation. Further, the location of Secrets Adult Boutique will not be within an eight hundred (800) foot radius of a religious institution. Further, the location of Secrets Adult Boutique will not be within a thousand (1000) foot radius of another adult use. Further the location of Secrets Adult Boutique will comply with the distance limitations for adjacent jurisdictions. (SEE MAPS UNDER MAILING LABELS AND ADDRESSES TAB 10)

Section 35-20.6 Compliant with Section of Division

Secrets Adult Boutique will not operate between 10:00 pm and 10:00 am of any day. In fact, Secrets Adult Boutique will operate between the hours of 10:00 am and 10:00 pm, everyday. Further, all exterior areas of the adult business will be illuminated at greater than 1.25 foot-candle, minimally maintained and evenly distributed at ground level. In fact the illumination will be greater than 5 foot-candle (SEE ATTACHED LETTER FROM RO ELECTRIC). Further, Secrets Adult Boutique will operate in strict compliance with California Penal Code section 314 and not tolerate lewd acts in public. Secrets Adult Boutique will post signs of California Penal Code 314 and enforce the penal code to the fullest. Further, Secrets Adult Boutique will operate giving access to only those persons who are over 18 years of age. Secrets Adult Boutique will post exterior door signage restricting access to persons who are over 18 years of age. Further, Secrets Adult Boutique will have a responsible person to act as manager at all times during which the business is open. The manager will receive all complaints and be responsible for any violations that may take place on the premises. Further, the interior and exterior areas of Secrets Adult Boutique will be under 24-hour surveillance by state of the art digital cameras and recording systems that can be viewed by all employees on the site and by any authorized persons offsite who have connection to the Internet. Further, Secrets Adult Boutique will not operate nude entertainment. Further, Secrets Adult Boutique will discard all adult oriented merchandise into garbage dumpsters inside locked trash enclosures.

Section 35-20.8 Compliant with Section of Division

Secrets Adult Boutique understands that it may not be established by right and therefore makes application for an adult use development permit. Further, Secrets Adult Boutique believes that it has supplied evidence to justify the grant of an adult use development permit. Further, Secrets Adult Boutique has filed with the Community

Development Department an adult use form supplied by the Community Development Department and is incorporated herein. (SEE TAB 1)

Section 35-20.10 Compliant with Section of Division

Secrets Adult Boutique has filled out the City's environmental package for purposes of complying with the California Environmental Quality Act ("CEQA") and is incorporated herein. (SEE TAB 22)

Section 35-20.12 <u>Compliant with Section of Division</u>

Secrets Adult Boutique has paid the non-refundable application fee, a copy of which has been incorporated herein. (SEE TAB 2)

Section 35-20.14	Compliant with Section of Division
Section 35-20.16	Compliant with Section of Division
Section 35-20.18	Compliant with Section of Division
Section 35-20.20	Compliant with Section of Division
Section 35-20.22	Compliant with Section of Division

Secrets Adult Boutique will comply with the development and design requirements of the underlying zoning district in which it is located and with the applicable standards of this Division. Further, Secrets Adult Boutique, in its traffic generation will be of minimal impact and will be consistent with achieving or maintaining the established level of service set forth in the City's Circulation and Growth Management Elements. Further, Secrets Adult Boutique will be adequately served by other public and private service facilities consistent with the City's established level of services as set forth in the City's Growth Management Element for the requested use. Further, no officers of the corporation, Shizue Enterprises, Incorporated dba Secrets Adult Boutique, have been found guilty or pleaded *nolo contendere* within the last four (4) years of a misdemeanor or a felony classified by the State of California as a sex or sex-related offense.

Section 35-20.24	Compliant with Section of Division
Section 35-20.26	Compliant with Section of Division
Section 35-20.28	Compliant with Section of Division
Section 35-20.30	Compliant with Section of Division
Section 35-20.32	Compliant with Section of Division

11/21/03

RQ ELECTRIC, INC.

1248 A Street, Hayward, CA 94541 Phone 510.888.1412 Fax 510.888.1044 State License # 576115

LETTER OF TRANSMITTAL

Company: Sturman Properties

Job Name: Pleasant Hill Retail

Regarding the Pleasant Hill Retail job located at 521-525 Contra Costa Blvd., in Pleasant Hill, CA 94523 bearing RQ Electric, Inc. job number 11531401. We at RQ Electric, Inc. would like to provide you with the following information in an effort to better serve the needs of you and the customer.

This letter is in regards to the foot-candle for the exterior lighting. At the parking lot light poles installed height the foot-candles will be greater than the required minimum 1.25 foot-candles. We find the illumination will be 5.25 foot-candles, minimally maintained and evenly distributed at ground level in the parking area.

Sincerely,

Bob Quenneville RQ Electric, Inc.

LIC. #576115 *

ENVIRONMENTAL INFORMATION FORM

Answers to Questions 35 & 36

35. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or Polaroid photos will be accepted.

The site consists of an empty newly remodeled shell space approximately 3,061 square feet designated for Commercial Retail Business. The proposed site is one of two empty shell spaces in a newly remodeled building that is approximately 9,113 square feet and designated as Commercial Retail Business. The building sits on a parcel(s) measuring 0.855 acres or 37,257 square feet. The landscaping for the site is new, consisting of Southern Magnolias, Palo Alto Sweet Gum, Yellow Daylily, Gulf Stream Heavenly Bamboo, Fountain Grass, Maroon Red Flax, Society Garlic, Jasmine Vine and Creeping Fig. There are no noteworthy cultural, historical or scenic aspects to this site. There is a new locked, enclosed dumpster area that services the remodeled building. (SEE PHOTOGRAPHS TAB 11) (SEE TOPOGRAPHICAL MAP ATTACHED HERE)

36. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (single-family, apartment houses, shops, department stores, etc.), and the scale of development (height, frontage, setback, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

The proposed site is surrounded by Commercial Retail Businesses. Interstate 680 bounds the site on the west. Commercial Retail Businesses surround the site all other compass points. There are no noteworthy cultural, historical or scenic aspects to the surrounding area. This particular part of town is older construction; many buildings are tilt-up single tenant retail spaces. The property directly to the west of the site is a strip commercial mall center. This part of town is the border of Pleasant Hill and Pacheco. (SEE PHOTOGRAPHS TAB 11)

CITY OF PLEASANT HILL

 (925) 671-5209
 100 Gregory Lane

 FAX
 (925) 676-1125

 Pleasant Hill, CA 94523

ENVIRONMENTAL INFORMATION FORM

(To be completed by applicant)

	Date Filed 11/26/03
General	Information
1.	Name and address of developer or project sponsors:
	SECRETS ADULT BOUTIQUE
	1945 CARROLL AVENUE
	SAN FRANCISCO, CA 94124 Phone: 415-468-5600
2.	Address of project: 525 CONTRA COSTA BLVD., PLEASANT HILL, CA 94523
	Assessor's parcel number:125-250-004
3.	Name, address, and telephone number of person to be contacted concerning this project:
	DAVID STURMAN
	1945 CARROLL AVENUE SAN FRANCISCO, CA 94124 Phone: 415-468-5600
4.	List and describe any other related permits and other public approvals required for this project including those required by city, regional, state and federal agencies:
	ADULT USE PERMIT
_	COMMERCIAL RETAIL BUSINESS
5.	Existing zoning district and use:
6.	Proposed use of site (Project for which this form is filed): COMMERCIAL RETAIL BUSINESS
	WITH CONDITIONAL ADULT USE

Project D	Description (Attached additional sheets as necessary).			
7.	Site size. 37,257 SQUARE FEET			
8.	Square footage. 3,061 SQUARE FEET			
9.	Number of floors of construction. ONE			
10.	Amount and type of off-street parking provided. 37 STALLS			
11.	Attach plans drawn to scale (site plans, floor plans, elevations).			
12.	Proposed scheduling. OPEN NEW STORE EARLY 2004 AFTER ADULT U	SE PE	RMIT IS GRANTED	
13.	Associated project. REMODEL OF 521-525 CONTRA COSTA BLVD., P			
14.	Anticipated incremental development.			
15.	If residential, include the number of units, schedule of unit sizes, range of sales prices of household size expected. N/A	s or rent	s, and type	
16.	If commercial, indicate the type, whether neighborhood, city or regionally oriented, square footage of sales area, estimated employment per shift, number of truck trips per day, and number and dimensions of loading facilities. CITY ORIENTED; 1,897 SF; 2 PEOPLE PER SHIFT PLUS MANAGER			
17.	THERE WILL BE TWO SHIFTS; 2 TRUCK TRIPS PER WEEK; 6' FRONT DOOR If industrial, indicate type, estimated employment per shift, number of truck trips per day, and number and dimensions of loading facilities. N/A			
18.	If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project. N/A			
19.	If the project involves a variance, conditional use or rezoning application, state this and indicate clearly why the application is required. ADULT USE PERMIT IS NECESSARY TO OPERATE THE BUSINESS			
20.	If the project involves 50,000 sq. ft. or more of office or 50 or more residential units, the application must be accompanied by a fiscal impact analysis N/A			
	lowing items applicable to the project or its effects? Discuss below all items ch	ecked y	es (attached	
additional s	heets as necessary).	Yes	No	
21.	Change in existing features of any watercourses, bodies of water, or hills, or substantial alteration of ground contours.		x S X	
22.	Change in scenic views or vistas from existing development or public lands or roads.		XX	
23.	Change in pattern, scale or character of general area of project.		XX	
24.	Significant amounts of solid waste or litter.		ХХX	
25.	Change in dust, ash, smoke, fumes or odors in vicinity.		x S xx	

26.	Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns.		X X X
27.	Substantial change in existing noise or vibration levels in the vicinity.		X₩X
28.	Site on filled land or on slope of 10 percent or more.		x x x
29.	Use, generation, storage, transport, treatment, or disposal of potentially hazardous materials, such as toxic substances, flammables, corrosives, reactives, or explosives		XXX
30.	Substantial change in demand for municipal services (police, fire, water, sewage, etc.)		X⊠X
31.	Substantial increase in fossil fuel consumption (electricity, oil, natural gas, etc.).		XXX
32.	Relationship to a larger project or series of projects.		X <u>X</u> X
33.	Displacement or relocation of persons or businesses.		XXX
34.	Significant additional traffic generation or increased vehicular problems.		x₩x
Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or polaroid photos will be accepted.			
36.	Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (single-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, setback, rear yard, etc.). Attach photographs of the vicinity. Snapshots or polaroid photos will be accepted. SEE ATTACHED SHEETS AND PLANS		
Certification SEE ATTACHED SHEETS AND TEAMS			
I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief. Signature SECRETS ADULT BOUTIQUE For			

ENVIRONMENTAL INFORMATION FORM

Answers to Questions 35 & 36

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